

THE MARKS LAW FIRM, P.C.

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December 11, 2023

**FILED VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square, Courtroom 618  
New York, NY 10007

**MEMO ENDORSED**

RE: **Salustiano Sanabria v. Konica Subway Corp., et al.**  
Index: 1:23-cv-09095-KPF

Dear Judge Failla,

Plaintiff respectfully requests a forty-five (45) day adjournment of the Initial Pretrial Conference from **January 9, 2024** to **February 23, 2024** and a forty-five (45) day extension of the deadline to submit a proposed Case Management Plan and Joint Letter from **January 4, 2023** to **February 17, 2024**, in accordance with Your Honor's October 30, 2023 Notice of Initial Pretrial Conference [Dkt. 5].

The reason for this request, is that, to date, Defendants have not appeared, answered, moved, or otherwise contacted Plaintiff, despite Plaintiff's attempts in contacting Defendants via mail, telephone and email. Furthermore, in light of the upcoming holiday schedule, it has been difficult to get in contact with both Defendants and thus, this process has taken longer than anticipated. As such, the requested adjournment would allow our office to continue making attempts to communicate with both Defendants in order to have them appear in this action prior to the Initial Conference. This is the first request of its kind.

We thank you and the Court for its time and consideration on this matter.

Respectfully Submitted,

The Marks Law Firm, P.C.

By: 

Bradly G. Marks

Application GRANTED. The Initial Pretrial Conference scheduled for January 9, 2024, is hereby ADJOURNED to **February 22, 2024**, at **10:00 a.m.** The conference will be held telephonically, and the dial-in information remains the same. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533.

The parties shall submit their proposed Case Management Plan and Joint Letter on or before **February 15, 2024**.

The Clerk of Court is directed to terminate the pending motion at docket number 8.

Dated: December 13, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE